

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

In Re: Ethicon, Inc., Pelvic Repair System
Products Liability Litigation

MDL No. 2327

THIS DOCUMENT RELATES TO ALL CASES

**ATTORNEY ERIN K. COPELAND’S APPLICATION FOR
APPOINTMENT TO PLAINTIFFS’ STEERING COMMITTEE**

COMES NOW attorney, Erin K. Copeland, of the law firm, FIBICH, HAMPTON, LEEBRON, BRIGGS & JOSEPHSON LLP, filing this application for appointment to this MDL’s Plaintiffs’ Steering Committee (“PSC”) pursuant to Pretrial Order #1.

I.

On March 19, 2012, Plaintiffs’ Proposed Counsel Organizational Structure for MDLs 2325, 2326, and 2327 (hereinafter, “Proposed Plan”) was submitted to the Court by Mssrs. Henry G. Garrard, III., Fred Thompson, III, and Bryan F. Aylstock.¹ I have reviewed the Proposed Plan and wholeheartedly join in the recommendation to the Court that the plan be accepted.

II.

As indicated in the Proposed Plan, I have been specifically identified by my colleagues as an appropriate candidate for this PSC. This peer nomination has been unanimously supported by all parties to the proposal, including all counsel designated for leadership and/or committee positions therein, and in several individual applications filed subsequent to and in support of the Proposed Plan.

¹ To the extent necessary, I adopt and incorporate the Proposed Organizational Plan as if fully set forth herein.

I believe all nominations, including mine, stem from our collective willingness and availability to commit to this time-consuming litigation, our ability to work cooperatively among such a large group, and the broad-based professional experience and resources we bring to this litigation. The coordinated submission and largely supported Proposed Plan is demonstrative of our cooperative efforts and abilities. I hope that the Court will agree with this assessment, adopt the plan, and appoint me to the PSC.

III.

This application constitutes my express willingness and unequivocal commitment to this time-consuming project. I am fully aware and appreciate the amount of work and resources that will be required of a PSC member in this litigation. I am prepared to assume these responsibilities and I will uphold my duties in accord with the rules of this Court and the rules of professional conduct.

Since becoming an attorney, I have been employed exclusively with my firm, Fibich, Hampton, Leebron, Briggs & Josephson, LLP. My firm has been on the front line of mass pharmaceutical/product liability litigation for nearly two decades. We have represented and currently represent thousands of individuals who have been severely injured by dangerous pharmaceuticals and/or products. Our client base includes several hundred women injured as a result of the pelvic mesh products at issue in this litigation - and that number is growing daily.

Our members have held leadership and/or committee roles in numerous MDLs and consolidated proceedings past and present, including, but not limited to, *Actos*, *Anti-Psychotics*, *Birth Defects*, *Ephedra*, *Gadolinium*, and *Vioxx*. We actively litigate our cases and acquire cases from firms nationwide who trust our track record.² Due to the nature of our practice, I have participated in almost every aspect of the MDL/consolidated litigation process for the common

² We have instituted actions in this pelvic mesh litigation and intend to file many more in the very near future.

benefit of all participating litigants. My experience includes, but is not limited to, coordinated briefing, arguing motions, attending committee meetings, hearings, and status conferences, handling intensive and focalized document discovery, deposition preparation and appearance, and identifying/coordinating Bellwether cases, *inter alia*.

I am licensed to practice in Texas and Missouri and I am admitted in the Southern District of Texas, Eastern District of Texas, and the Fifth Circuit. Over the years, I have been admitted to the bar of many state and federal districts across the country as lead counsel in a variety of personal injury and wrongful death cases, including pharmaceutical/medical device cases. I am currently admitted pro hac vice in the State of Washington on a wrongful death medical device case. I am managing our firm's pelvic mesh litigation and I am actively involved in our coordinated Depakote and SSRI litigation.

Because of my experience, I understand the importance and necessity of a cohesive and coordinated structure. I am willing and fully capable of working cooperatively with others to effectuate committee tasks and advance the pelvic mesh cases at issue towards an expeditious, economical, and just global resolution.

IV.

For all of the reasons set forth herein, I respectfully request the court appoint me to a position on the PSC for MDLs, 2325, 2326, and 2327.

Respectfully submitted March 29, 2012

By: /s/ Erin K. Copeland
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